

Customer Number: 00959

Attorney's  
Docket  
Number TOW-099US

**Declaration, Petition and Power of Attorney for Patent Application**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

FUEL CELL

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the specification of which

(check one)

X is attached hereto.

   was filed on October 28, 2003 as

PCT International Application Number PCT/JP03/13756

and was amended on \_\_\_\_\_  
(if applicable)

I do not know and do not believe that the subject matter of this application was known or used by others in the United States or patented or described in a printed publication in any country before my invention thereof, or patented or described in a printed publication in any country or in public use or on sale in the United States more than one year prior to the date of this application, or first patented or caused to be patented or made the subject of an inventor's certificate by me or my legal representatives or assigns in a country foreign to the United States prior to the date of this application on an application filed more than twelve months (six months if this application is for a design) before the filing of this application; and I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application, that no application for patent or inventor's certificate on the subject matter of this application has been filed by me or my representatives or assigns in any country foreign to the United States, except those identified below, and that I have reviewed and understand the contents of the specification, including the claims as amended by any amendment referred to herein.

I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

### CLAIM OF BENEFIT OF EARLIER FOREIGN APPLICATION(S)

I hereby claim priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below, and have also identified below any foreign application(s) for patent or inventor's certificate filed by me on the same subject matter having a filing date before that of the application(s) from which priority is claimed.

Check one:

☐ no such applications have been filed.

☒ such applications have been filed as follows

#### EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Country	Application Number	Date of Filing (month,day,year)	Priority Claimed Under 35 USC 119
JAPAN	Patent Application No. 2002-313242	October 28, 2002	<input checked="" type="checkbox"/> Yes    No <input type="checkbox"/>
JAPAN	Patent Application No. 2002-336742	November 20, 2002	<input checked="" type="checkbox"/> Yes    No <input type="checkbox"/>
JAPAN	Patent Application No. 2002-336753	November 20, 2002	<input checked="" type="checkbox"/> Yes    No <input type="checkbox"/>
JAPAN	Patent Application No. 2003-360900	October 21, 2003	<input checked="" type="checkbox"/> Yes    No <input type="checkbox"/>
JAPAN	Patent Application No. 2003-360907	October 21, 2003	<input checked="" type="checkbox"/> Yes    No <input type="checkbox"/>

#### ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION


CLAIM FOR BENEFIT OF U.S. PROVISIONAL APPLICATION(S)

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

## CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, §120 of any earlier United States application(s) or PCT international application(s) designating the United States listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the earlier application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date(s) of the earlier application(s) and the national or PCT international filing date of this application. As to subject matter of this application which is common to my earlier application(s), if any, described below, I do not know and do not believe that the same was known or used by others in the United States or patented or described in a printed publication in any country before my invention thereof, or patented or described in a printed publication in any country or in public use or on sale in the United States more than one year prior to the date(s) of said earlier application(s), or first patented or caused to be patented or made the subject of an inventor's certificate by me or my legal representatives or assigns in a country foreign to the United States prior to the date(s) of said earlier application(s) on an application filed more than twelve months (six months if this application is for a design) before the filing of said earlier application(s); and I acknowledge that no application for patent or inventor's certificate on said subject matter has been filed by me or my representatives or assigns in any country foreign to the United States except those identified herein.

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(Application Serial No.)

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(Filing Date)

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(Status)  
(patented,pending,aband.)

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(Application Serial No.)

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(Filing Date)

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(Status)  
(patented,pending,aband.)

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

James E. Cockfield	Reg. No. 19,162	Debra J. Milasincic	Reg. No. 46,931
Thomas V. Smurzynski	Reg. No. 24,798	David R. Burns	Reg. No. 46,590
Ralph A. Loren	Reg. No. 29,325	Sean D. Detweiler	Reg. No. 42,482
Giulio A. DeConti, Jr.	Reg. No. 31,503	Cynthia L. Kanik	Reg. No. 37,320
Elizabeth A. Hanley	Reg. No. 33,505	Theodore R. West	Reg. No. 47,202
Amy E. Mandragouras	Reg. No. 36,207	Hathaway P. Russell	Reg. No. 46,488
Anthony A. Laurentano	Reg. No. 38,220	John S. Curran	Reg. No. 50,445
Kevin J. Canning	Reg. No. 35,470	Lisa M. DiRocco	Reg. No. 51,619
Jane E. Remillard	Reg. No. 38,872	Danielle L. Herritt	Reg. No. 43,670
DeAnn F. Smith	Reg. No. 36,683	Merideth C. Arnold	Reg. No. 52,568
Jeanne M. DiGiorgio	Reg. No. 41,710	Peter W. Dini	Reg. No. 52,821
Megan E. Williams	Reg. No. 43,270	Cynthia M. Soroos	Reg. No. 53,623
Jeremiah Lynch	Reg. No. 17,425	Jonathan M. Sparks	Reg. No. 53,624
David J. Rikkers	Reg. No. 43,882	Andrina M. Zink	Reg. No. 54,539
Maria C. Laccotripe Zacharakis	Limited Recognition Under 37 C.F.R. § 10.9(b)	John D. Lanza	Reg. No. 40,060
		Cristin E. Howley	Reg. No. 55,281

Send Correspondence to Anthony A. Laurentano, Esq. at Customer Number: 00959 whose address is:

Lahive & Cockfield, LLP, 28 State Street, Boston, MA 02109

Direct Telephone Calls to: (name and telephone number)

Anthony A. Laurentano, (617) 227-7400

Wherefore I petition that letters patent be granted to me for the invention or discovery described and claimed in the attached specification and claims, and hereby subscribe my name to said specification and claims and to the foregoing declaration, power of attorney, and this petition.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor <u>Seiji SUGIURA</u>	
Inventor's signature <u>Seiji Sugiura</u>	Date September 21, 2004
Residence Utsunomiya-shi, Tochigi-ken, JAPAN	
Citizenship Japan	
Post Office Address (if different) c/o KABUSHIKI KAISHA HONDA GIJUTSU KENKYUSHO, 4-1, Chuo 1-chome, Wako-shi, Saitama-ken 351-0193 JAPAN	

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Full name of second inventor, if any Shuhei GOTO	
Inventor's signature <i>Shuhei Goto</i>	Date September 21, 2004
Residence Utsunomiya-shi, Tochigi-ken, JAPAN	
Citizenship Japan	
Post Office Address (if different) c/o KABUSHIKI KAISHA HONDA GIJUTSU KENKYUSHO, 4-1, Chuo 1-chome, Wako-shi, Saitama-ken 351-0193 JAPAN	

Full name of third inventor, if any Kazuya SASAMOTO	
Inventor's signature <i>Kazuya Sasamoto</i>	Date September 21, 2004
Residence Haga-gun, Tochigi-ken, JAPAN	
Citizenship Japan	
Post Office Address (if different) c/o KABUSHIKI KAISHA HONDA GIJUTSU KENKYUSHO, 4-1, Chuo 1-chome, Wako-shi, Saitama-ken 351-0193 JAPAN	

Full name of third inventor, if any Narutoshi SUGITA	
Inventor's signature <i>Narutoshi Sugita</i>	Date September 21, 2004
Residence Utsunomiya-shi, Tochigi-ken, JAPAN	
Citizenship Japan	
Post Office Address (if different) c/o KABUSHIKI KAISHA HONDA GIJUTSU KENKYUSHO, 4-1, Chuo 1-chome, Wako-shi, Saitama-ken 351-0193 JAPAN	

10/533143

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 553 866 864 US, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 27 April 2005

Signature: 

(Anthony A. Laurentano)

JC20 Rec'd PCT/PTO 27 APR 2005

Docket No.: TOW-099US  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Seiji Sugiura *et al.*

International Application No. PCT/JP03/13756

International Filing Date: October 28, 2003

Application No.: NEW APPLICATION

Confirmation No.: N/A

Filed: Concurrently Herewith

Art Unit: N/A

For: FUEL CELL

Examiner: Not Yet Assigned

**DESIGNATION OF RECORD ATTORNEYS**

MS PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. 1.32(b) the following patent practitioners named in the Power of Attorney filed in this case are to be recognized by the Office as being of record in the above referenced application and in any patent issued thereon.

Anthony A. Laurentano	Reg. No. 38,220
Kevin J. Canning	Reg. No. 35,470
David R. Burns	Reg. No. 46,590
Sean D. Detweiler	Reg. No. 42,482
John D. Lanza	Reg. No. 40,060

10/533143

Application No.: NEW APPLICATION

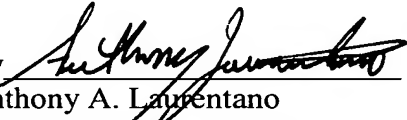
Docket No.: TOW-099US

JC20 Rec'd PCT/PTO 27 APR 2005

Applicants believe no fee is due with this statement. However, if a fee is due, please charge our Deposit Account No. 12-0080, under Order No. TOW-099US from which the undersigned is authorized to draw.

Dated: April 27, 2005

Respectfully submitted,

By   
Anthony A. Laurentano  
Registration No.: 38,220  
LAHIVE & COCKFIELD, LLP  
28 State Street  
Boston, Massachusetts 02109  
(617) 227-7400  
(617) 742-4214 (Fax)  
Attorney/Agent For Applicant